

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA**

VISHAY DALE ELECTRONICS, INC.,)
)
Plaintiff,) **8:07CV191**
)
vs.) **ORDER**
)
CYNTEC CO., LTD.,)
SUSUMU CO., LTD. and)
SUSUMU INTERNATIONAL (USA), INC.,)
)
Defendants.)

This matter is before the court on the plaintiff's Motion to Amend the Patent Claim Construction Schedule in the Court's Order for Initial Progression of Case ([Filing No. 141](#)). The plaintiff seeks to extend the deadlines by three weeks and shorten the time between events so the final deadline remains the same as it is now. The plaintiff argues the extension of time is necessary to obtain certain discovery or discovery related court rulings. The defendants filed a brief ([Filing No. 142](#)) and an index of evidence ([Filing No. 143](#)) in opposition to the motion. The defendants oppose any extension, particularly one where the deadlines between actions would be shortened. The defendants contend the claim construction issues are independent of the current discovery disputes or discovery generally, because claim construction is based only on the public patent records. Under the circumstances, the court finds the plaintiff has failed to show good cause exists to extend the deadlines previously set. **See Fed. R. Civ. P. 16(b)(4)**. Upon consideration,

IT IS ORDERED:

The plaintiff's Motion to Amend the Patent Claim Construction Schedule in the Court's Order for Initial Progression of Case ([Filing No. 141](#)) is denied.

DATED this 20th day of August, 2008.

BY THE COURT:

s/ Thomas D. Thalken
United States Magistrate Judge